

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DR. JUDY WOOD on behalf of the UNITED STATES  
OF AMERICA,

Plaintiff/Relator,

v.

SCIENCE APPLICATIONS INTERNATIONAL  
CORP.; APPLIED RESEARCH ASSOCIATES INC.;  
BOEING; NuSTATS; COMPUTER AIDED  
ENGINEERING ASSOCIATES, INC.;  
DATASOURCE, INC.; GEOSTAATS, INC.;  
GILSANZ MURRAY STEFICEK LLP; HUGHES  
ASSOCIATES, INC.; AJMAL ABBASI; EDUARDO  
KAUSEL; DAVID PARKS; DAVIS SHARP;  
DANIELE VENEZANO; JOSEF VAN DYCK;  
KASPAR WILLIAM; ROLF JENSEN &  
ASSOCIATES, INC.; ROSENWASSER/GROSSMAN  
CONSULTING ENGINEERS, P.C.; SIMPSON  
GUMPERTZ & HEGER, INC.; S.K. GHOSH  
ASSOCIATES, INC.; SKIDMORE, OWINGS &  
MERRILL, LLP; TENG & ASSOCIATES, INC.;  
UNDERWRITERS LABORATORIES, INC.; WISS,  
JANNEY, ELSTNER ASSOCIATES, INC.;  
AMERICAN AIRLINES; SILVERSTEIN  
PROPERTIES; and UNITED AIRLINES,  
Defendants.

Case No. 07CV3314 (GBD)

**NOTICE OF MOTION TO  
ADMIT COUNSEL  
PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I David M. Pollack, a member of good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

Patricia Gary, Esq.  
Donovan Hatem, P.C  
World Trade Center East  
Two Seaport Lane  
Boston, MA 02210

Patricia Gary is a member of good standing of the Bar of the States of Massachusetts and New Hampshire. There are no pending disciplinary proceedings against Patricia Gary in any State or Federal court

Dated: New York, New York  
April 24, 2008

DONOVAN HATEM LLP

  
\_\_\_\_\_  
David M. Pollack (DP6143)  
Attorneys for Defendants  
SIMPSON GUMPERTZ & HEGER, INC. and  
COMPUTER AIDED ENGINEERING  
ASSOCIATES, INC.  
One Penn Plaza  
250 W. 34<sup>th</sup> Street  
Suite 3324  
New York, NY 10119  
(212) 244-3333

David J. Hatem, P.C.  
William D. Gillis, Jr., Esq.  
Patricia B. Gary, Esq.  
DONOVAN HATEM LLP  
Two Seaport Lane  
Boston, MA 02210  
(617) 406-4500

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DR. JUDY WOOD on behalf of the UNITED STATES	:	
OF AMERICA,	:	
Plaintiff/Relator,	:	
v.	:	
SCIENCE APPLICATIONS INTERNATIONAL	:	
CORP.; APPLIED RESEARCH ASSOCIATES INC.;	:	
BOEING; NuSTATS; COMPUTER AIDED	:	
ENGINEERING ASSOCIATES, INC.;	:	
DATASOURCE, INC.; GEOSTAATS, INC.; GILSANZ	:	Case No. 07CV3314
MURRAY STEFICEK LLP; HUGHES ASSOCIATES,	:	
INC.; AJMAL ABBASI; EDUARDO KAUSEL;	:	
DAVID PARKS; DAVIS SHARP; DANIELE	:	
VENEZANO; JOSEF VAN DYCK; KASPAR	:	
WILLIAM; ROLF JENSEN & ASSOCIATES, INC.;	:	<b>MOTION TO ADMIT</b>
ROSENWASSER/GROSSMAN CONSULTING	:	<b>COUNSEL PRO HAC VICE</b>
ENGINEERS, P.C.; SIMPSON GUMPERTZ &	:	
HEGER, INC.; S.K. GHOSH ASSOCIATES, INC.;	:	
SKIDMORE, OWINGS & MERRILL, LLP; TENG &	:	
ASSOCIATES, INC.; UNDERWRITERS	:	
LABORATORIES, INC.; WISS, JANNEY, ELSTNER	:	
ASSOCIATES, INC.; AMERICAN AIRLINES;	:	
SILVERSTEIN PROPERTIES; and UNITED	:	
AIRLINES,	:	
Defendants.	:	

The defendant, Simpson Gumpertz & Heger, Inc., respectfully moves, pursuant to 1.3(c) of the Local Rules of the United States District Courts for the Southern Districts of New York, that their attorney, Patricia B. Gary, a member in good standing in the Commonwealth of Massachusetts, be admitted to practice for the purposes of this case, before the Bar of the United States District Court for the Southern District of New York, *pro hac vice*.

Respectfully submitted,  
 SIMPSON GUMPERTZ & HEGER, INC.  
 By their attorneys,




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David J. Hatem, PC  
 David Pollack, Esq.  
 Patricia B. Gary, Esq.  
 Donovan Hatem LLP  
 Two Seaport Lane  
 Boston, MA 02210  
 (617) 406-4500

Dated: April 24, 2008  
 01144533

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DR. JUDY WOOD on behalf of the UNITED STATES OF AMERICA,

Plaintiff/Relator,

v.

SCIENCE APPLICATIONS INTERNATIONAL CORP.; APPLIED RESEARCH ASSOCIATES INC.; BOEING; NuSTATS; COMPUTER AIDED ENGINEERING ASSOCIATES, INC.; DATASOURCE, INC.; GEOSTAATS, INC.; GILSANZ MURRAY STEFICEK LLP; HUGHES ASSOCIATES, INC.; AJMAL ABBASI; EDUARDO KAUSEL; DAVID PARKS; DAVIS SHARP; DANIELE VENEZANO; JOSEF VAN DYCK; KASPAR WILLIAM; ROLF JENSEN & ASSOCIATES, INC.; ROSENWASSER/GROSSMAN CONSULTING ENGINEERS, P.C.; SIMPSON GUMPERTZ & HEGER, INC.; S.K. GHOSH ASSOCIATES, INC.; SKIDMORE, OWINGS & MERRILL, LLP; TENG & ASSOCIATES, INC.; UNDERWRITERS LABORATORIES, INC.; WISS, JANNEY, ELSTNER ASSOCIATES, INC.; AMERICAN AIRLINES; SILVERSTEIN PROPERTIES; and UNITED AIRLINES,

Defendants.

Case No. 07CV3314 (GBD)

**AFFIRMATION OF DAVID M.  
POLLACK IN SUPPORT OF  
MOTION TO ADMIT  
COUNSEL PRO HAC VICE**

David M. Pollack, being duly sworn, hereby deposes and says as follows:

1. I am an attorney at Donovan Hatem, LLP., counsel for SIMPSON GUMPERTZ & HEGER, INC. and COMPUTER AIDED ENGINEERING ASSOCIATES, INC., in the above captioned matter. I am a familiar with the proceedings in this case. I make this statement based on personal knowledge of the facts set for the herein and in support of Defendant's motion to admit Patricia Gary as counsel pro hac vice to represent Defendant, SIMPSON GUMPERTZ & HEGER, INC. and COMPUTER AIDED ENGINEERING ASSOCIATES, INC. in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in the State of New York on February 23, 1981. I was admitted to the bars of the United States District Courts for the Southern and Eastern Districts of New York on March 24, 1981 and am a member in good standing. I was admitted to the bar of the United States Court of Appeals, 2<sup>nd</sup> Circuit on September 1, 1981, and am a member in good standing.
3. I have known Patricia Gary since June, 2007.
4. Patricia Gary is an attorney at Donovan Hatem, P.C in Boston, Massachusetts.
5. I have found Patricia Gary to be a skilled attorney and a person of integrity. She is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

6. Accordingly, I am please to move for the admission of Patricia Gary, pro hac vice.
7. I respectfully submit a proposed order granting the submission of Patricia Gary, pro hac vice, which is attached hereto as Exhibit "A".

WHEREFORE, it is respectfully requested that the motion to admit Patricia Gary, pro hac vice, to represent, SIMPSON GUMPERTZ & HEGER, INC. and COMPUTER AIDED ENGINEERING ASSOCIATES, INC. in the above captioned matter be granted.

Dated: New York, New York  
April 24, 2008

  
DONOVAN HATEM LLP

David M. Pollack (DP6143)  
Attorneys for Defendants  
SIMPSON GUMPERTZ & HEGER, INC. and  
COMPUTER AIDED ENGINEERING  
ASSOCIATES, INC.  
One Penn Plaza  
250 W. 34<sup>th</sup> Street  
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Two Seaport Lane  
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To: All Counsel

**UNITED STATES DISTRICT COURT  
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AMERICAN AIRLINES; SILVERSTEIN  
PROPERTIES; and UNITED AIRLINES,

Defendants.

Case No. 07CV3314 (GBD)

**ORDER FOR ADMISSION  
PRO HAC VICE ON  
WRITTEN MOTION**

Upon the motion of David M. Pollack, attorney for SIMPSON GUMPERTZ & HEGER, INC. and COMPUTER AIDED ENGINEERING ASSOCIATES, INC. and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that:

Patricia Gary, Esq.  
Donovan Hatem, LLP.  
World Trade Center East  
Two Seaport Lane  
Boston, MA 02210

Is admitted to practice pro hac vice as counsel for SIMPSON GUMPERTZ & HEGER, INC. and COMPUTER AIDED ENGINEERING ASSOCIATES, INC. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rulese governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated: New York, New York  
April 23, 2008

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United States District/Magistrate Judge

**COMMONWEALTH OF MASSACHUSETTS**

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston  
within and for said County of Suffolk, on the **twentieth**  
day of **June** A.D. **1990**, said Court being the highest  
Court of Record in said Commonwealth:

Patricia Gary

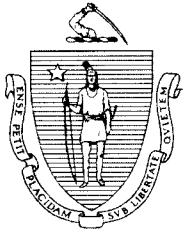
being found duly qualified in that behalf, and having taken and subscribed  
the oaths required by law, was admitted to practice as an Attorney, and, by  
virtue thereof, as a Counsellor at Law, in any of the Courts of the said  
Commonwealth: that said Attorney is at present a member of the Bar, and  
is in good standing according to the records of this Court\*.

In testimony whereof, I have hereunto set my hand and affixed the  
seal of said Court, this **third** day of **April**  
in the year of our Lord **two thousand and eight**.



A handwritten signature in black ink, appearing to read "Maury S. Doyle".  
**MAURY S. DOYLE, Clerk**

\* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.



The Commonwealth of Massachusetts  
SUPREME JUDICIAL COURT  
FOR SUFFOLK COUNTY  
JOHN ADAMS COURTHOUSE  
ONE PEMBERTON SQUARE, SUITE 1300  
BOSTON, MASSACHUSETTS 02108-1707

MAURA S. DOYLE  
CLERK  
(617) 557-1180

April 3, 2008

ASSISTANT CLERKS

LILLIAN C. ANDRUSZKIEWICZ (617) 557-1184  
GEORGE E. SLYVA (617) 557-1185  
ERIC B. WETZEL (617) 557-1186  
FACSIMILE (617) 557-1033

Patricia Gary  
Donovan Hatem, LLP  
2 Seaport Ln.  
Boston, MA 02210

**IN RE: CERTIFICATE OF ADMISSION AND GOOD STANDING**

Patricia Gary:

Enclosed please find the Certificate of admission and good standing which you have recently requested from this office. This certificate attests to your date of admission and good standing at the Bar of the Commonwealth of Massachusetts.

If you have any questions or if this office can be of further assistance, please do not hesitate to contact us at 617-557-1050 or visit our web site at [www.sjccountyclerk.com](http://www.sjccountyclerk.com).

Very truly yours,

A handwritten signature in black ink, appearing to read "Maura S. Doyle".

MAURA S. DOYLE  
Clerk  
Supreme Judicial Court

MSD/pjs  
CL Received: April 3, 2008  
enclosure

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK )  
                       )  
                       ss.:  
COUNTY OF NEW YORK      )

1. I, Kelly B. Faherty, being duly sworn, depose and say, I am not a party to this action, am over 18 years of age and reside in Farmingdale, New York.

2. On April 24, 2008, I served the within **Motion to Admit Counsel Pro Hac Vice, Notice of Motion to Admit Counsel Pro Hac Vice, Affirmation of David M. Pollack in Support of Motion to Admit Counsel Pro Hac Vice and Proposed Order for Admission Pro Hac Vice on Written Motion**, by depositing true copies thereof enclosed in a post-paid wrapper in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State addressed to:

**Jerry V. Leaphart**  
Jerry V. Leaphart & Associates, P.C.  
Attorneys for  
**Dr. Judy Wood**  
*on behalf of the United States of America*  
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Danbury, CT 06810

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Louis J. Dennis

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New York, NY 10017

**Edward B. Keidan**

Conway & Mrowiec  
Attorneys for Teng & Associates  
20 South Clark Street  
Suite 1000  
Chicago, IL 60603

**Philip Carmine Semprevivo**

Biedermann, Hoenig, Massamillo & Ruff  
Attorneys for Underwriter Laboratories,  
Inc.  
570 Lexington Avenue  
New York, NY 10022

Sworn to before me this

24<sup>th</sup> day of April, 2008

Notary Public

DAVID M. POLLACK  
Notary Public, State of New York  
No. 30-02PO5035521  
Qualified in Nassau County  
Commission Expires Nov. 7, 2010

Kelly B. Faherty